

B. Nichols from the Fort Gratiot Fire Department in St. Clair County, Michigan. This year marks the 50th year Mr. Nichols has been a member of the department—and during 31 of those years he has proudly served as Chief.

Chief Nichols has consistently raised the bar and set a high standard during his outstanding career in the fire service. The State of Michigan and the 10th Congressional District truly have been very fortunate to have him as one of our fire chiefs. During his tenure, the Fort Gratiot Fire Department experienced tremendous growth and commercial expansion. Through his continued leadership, he has been able to administer safe and effective fire codes while keeping pace with the latest technological advancements and changes in local fire prevention ordinances.

Chief Nichols has stepped forth to fulfill numerous leadership roles and positions. He is a 26 year member of the International Association of Fire Chiefs, a member of the St. Clair County Fire Chiefs Association, a member of the St. Clair County Firefighters Association, and a member of the National Fire Protection Association. In 1992, he was recognized by his community, earning the St. Clair County Firefighters Association Firefighter of the Year Award.

First responders are often under-appreciated and taken for granted until crisis strikes and the public reaches out for help and rescue. Against all common sense and natural instinct, firefighters rush to the scene of an emergency and into harm's way without the slightest hesitation.

Firefighters are the backbone of our communities. Without the promise of any fame, fortune, or so much as a simple "thank-you", firefighters remain constantly vigilant and ready to serve. I know sometimes younger people idolize professional athletes and cheer for their favorite sports teams. And the same could be said for some adults too. But if you really want to see true teamwork search no further than your local fire station. It is here where men and women work together and count on each other to protect lives. Their service demonstrates courage, camaraderie, and bravery.

I am extremely proud of all the men and women who risk so much to protect our safety and well-being, so it is my honor to offer my sincere gratitude to Chief Nichols for his 50 years of service. His leadership, integrity, and dedication are greatly appreciated. I wish him, his family, and his wife, Carole, all the best as he continues to serve the citizens of Fort Gratiot. Thank you, Chief Ronald B. Nichols, for dedicating your life to a noble cause. And thank you for ignoring fear and always demonstrating incredible bravery. That is what a real hero does.

H.R. 3377, THE DISASTER RESPONSE, RECOVERY, AND MITIGATION ENHANCEMENT ACT OF 2009

**HON. JAMES L. OBERSTAR**

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 29, 2009

Mr. OBERSTAR. Madam Speaker, I rise today in strong support of H.R. 3377, the "Disaster Response, Recovery, and Mitigation En-

hancement Act of 2009". This bill makes amendments to the Robert T. Stafford Disaster Relief and Emergency Assistance Act (Stafford Act) to improve the assistance that the Federal Government provides to States, local governments, and communities after major disasters and emergencies. I thank Full Committee Ranking Member MICA, as well as the gentlewoman from the District of Columbia (Ms. NORTON) and the gentleman from Florida (Mr. DIAZ-BALART), Chair and Ranking Member of the Subcommittee on Economic Development, Public Buildings, and Emergency Management, for joining me in sponsoring this bill.

H.R. 3377 is a consolidation of many issues brought to the attention of the Committee on Transportation and Infrastructure in the last two and a half years and contains a series of proposals to enable the Federal Emergency Management Agency (FEMA) to carry out its programs and activities related to preparedness, response, recovery, and mitigation more effectively. Several provisions of this bill incorporate proposals put forth by Members on both sides of the aisle.

This bill reauthorizes core FEMA programs and activities, including the Pre-Disaster Mitigation program; codifies programs that FEMA is currently administering under the authority of the Stafford Act but which are not expressly authorized in statute, such as the National Urban Search and Rescue System and Citizen Corps; restores an essential program, the Mortgage and Rental Assistance program, which was eliminated in 2000; and amends eligibility under certain FEMA programs, including the Hazard Mitigation Grant Program, by creating incentives for better building codes.

Congress made changes to the Stafford Act in 2000 with the Disaster Mitigation Act of 2000, and in 2006 with the Post-Katrina Emergency Management and Reform Act. FEMA is still working to implement the changes required in these Acts. This bill makes a number of positive changes to FEMA's authority which, together with prior reforms that FEMA is still implementing, will enable it to become a more effective agency.

H.R. 3377 is a continuation of the Committee's work to address ongoing emergency management and disaster relief needs. In the 110th Congress, the Committee on Transportation and Infrastructure ordered reported a similar bill, H.R. 6658. We are reintroducing this bill, which is an updated version of H.R. 6658, with the intent to move it through Committee and the House as expeditiously as possible.

Specifically, H.R. 3377 reauthorizes the Pre-Disaster Mitigation ("PDM") program, a program to provide cost-effective technical and financial assistance to State and local governments to reduce injuries, loss of life, and damage to property through fiscal year 2012 at a level of \$250 million per year. While a one-year extension was included in the Department of Homeland Security

Fiscal Year 2009 Appropriations Act to keep this vital program alive, Congress must act. If we do not, this worthy program will sunset on September 30, 2009. The bill also reauthorizes the Emergency Management Assistance Compact (EMAC), which expired at the end of fiscal year 2008, to provide form and structure to interstate mutual aid and allows a State impacted by a disaster to request and receive assistance from other states quickly and efficiently.

The bill also specifically authorizes two existing FEMA programs that are not expressly authorized in statute but rely on broader language in the Stafford Act. The National Urban Search and Rescue System (US&R), is a robust system of 28 teams composed of state and local emergency responders who work together to respond to both local incidents and major disasters and emergencies, and codifies workers' compensation and other protections for US&R teams currently provided administratively by FEMA. The bill also specifically authorizes FEMA's existing citizen preparedness program, known as "Citizen Corps", to help coordinate volunteer activities to better prepare communities to respond to a disaster or emergency, as well as the Citizen Emergency Response Team Program.

The legislation directs the President to modernize the integrated public alerts and warning system to help ensure that our Nation's warning systems are prepared for all hazards, which is currently authorized by the Stafford Act. It also amends section 404 of the Stafford Act by providing for additional assistance under the Hazard Mitigation Grant Program for States that actively enforce an approved building code throughout the State.

H.R. 3377 also authorizes the Disaster Relief Fund and Disaster Support Account, which provide funding for FEMA's Federal Disaster Programs authorized by titles IV and V of the Stafford Act. Since its inception, how the Disaster Relief Fund is set up and administered and what it can be used for has been determined by appropriations; this provision remedies this deficiency and gives the authorizing statute and the authorizing committee in the House and Senate an appropriate role.

The bill also takes small steps to address two very pressing issues that face our nation: health care and housing. This legislation makes temporary employees hired by FEMA in response to a disaster eligible to enroll in the Federal Health Benefits Program. Most of the employees that FEMA sends to disasters—many of whom have been employed by FEMA for years—do not have access to employer sponsored health insurance. This legislation would also restore the Mortgage and Rental Assistance program, which was eliminated in the Disaster Mitigation Act of 2000 (P.L. 106-390). The program provides assistance for up to 18 months in the form of mortgage or rental payments to or on behalf of individuals and families who, as a result of financial hardship caused by a major disaster, are at imminent risk of dispossession or eviction. This will protect communities and citizens who have been impacted by disaster from taking an additional hit by exacerbating the current housing crisis in those communities.

H.R. 3377 further provides new authority to allow FEMA to sell excess materials, supplies, and equipment to States, local governments, and relief or disaster assistance organizations to assist victims of smaller-scale natural disasters and other incidents that do not result in the declaration of a major disaster or emergency. This bill also authorizes FEMA to include household pet and service animal rescue, care, and sheltering to activities during emergency declarations under Title V of Stafford Act. Currently, such activities are only authorized under a Major Disaster Declaration under Title IV of the Stafford Act.

Finally, this legislation addresses an important issue from the aftermath of the response

to Hurricane Katrina by requiring FEMA to assess the number of temporary housing units necessary for the agency to effectively respond to future disasters and emergencies. FEMA must, within six months, develop a plan to store any units needed for future disasters and to dispose of, through sale, transfer, donation, or other means, those units the agency does not need to keep in stock. This legislation provides FEMA the flexibility to provide temporary housing units in its current inventory to victims of disasters that do not rise to the level of a Presidential disaster declaration, if the Governor of the State certifies that there is an urgent need for the housing and meets other requirements.

I urge my colleagues to join me in supporting H.R. 3377, the "Disaster Response, Recovery, and Mitigation Enhancement Act of 2009".

# HONORING THE FORMER TEXAS STATE LEGISLATOR LEO ALVARADO, JR.

**HON. CIRO D. RODRIGUEZ**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 29, 2009*

Mr. RODRIGUEZ. Madam Speaker, I rise today to pay tribute to my colleague in the Texas Legislature, former State Representative Leo Alvarado, Jr., of San Antonio, who passed away on June 5, 2009. I served with Mr. Alvarado at the State Capitol in Austin during the 1990s, both of us representing districts in Bexar County.

Madam Speaker, during the recently concluded 1st Called Session of the 81st Texas Legislature, the Texas House of Representatives adopted House Resolution No. 21 in memory of Mr. Alvarado, offered by my former colleague State Representative Delwin Jones of Lubbock, joined by Bexar County members Trey Martinez Fischer, Mike Villarreal, Joe Farias, Joaquin Castro, and Valerie Ryder Corte.

## THE STATE OF TEXAS HOUSE OF REPRESENTATIVES

RESOLUTION H.R. NO. 21

Whereas, The passing of former state representative Leopoldo "Leo" Alvarado, Jr., on June 5, 2009, at the age of 70, has profoundly saddened the legal and legislative communities and citizens throughout San Antonio and brought a great loss to his family and friends; and

Whereas, Born in San Antonio on April 23, 1939, Leo Alvarado was the son of Maria del Refugio Parias de Alvarado and Leopoldo Alvarado, Sr.; he grew up on the West Side and graduated from Jefferson High School before enlisting in the United States Air Force; following his service to his country, he enrolled in St. Mary's University, where he earned his bachelor's degree in political science and accounting and went on to receive his law degree in 1974; and

Whereas, This dedicated community activist helped organize the J.F.K. Community Forum, which laid the groundwork for West San Antonio agencies engaged in the war on poverty, and served as a consultant to the Inner City Apostolate and as a director of the Mexican American Unity Council and of Project Health and Viable Economics; he was vice chair of the board of the Bexar County Hospital District and worked toward the purchase and reopening of Lutheran General Hospital to serve downtown residents; and

Whereas, Highly respected in his legal career, Mr. Alvarado handled many complex injury and public interest cases; he played an important role in landmark Edgewood ISO cases involving the redistribution of funds from wealthy to poorer school districts, which ultimately led to increased support for education in lower income communities; he was a partner in Weir & Alvarado, P.C., before forming Alvarado & Alvarado, P.L.L.C., with his daughter, Rosemarie Alvarado-Hawkins; and

Whereas, Mr. Alvarado was first elected to the Texas House of Representatives in 1992 and served the people of District 116 for eight years; during his tenure, he was chair of the Freshman House Caucus and was a valued member of the civil practices, house administration, state affairs, redistricting, insurance, and judicial affairs committees; a man of principle and integrity, he worked to improve the lives of all Texans, and he introduced bills relating to high school education and redlining in the insurance industries, among numerous others; and

Whereas, A devoted and loving father, Mr. Alvarado most enjoyed spending time with his family, whom he placed first in all matters; he was also fond of hunting, fishing, playing guitar, cooking, painting, gardening, and travel; and

Whereas, Leo Alvarado leaves a legacy of accomplishments that will continue to benefit people in this state for years to come, and he will long be remembered with deep affection and admiration by all who were fortunate enough to share in the richness of his life; now, therefore, be it

*Resolved*, That the House of Representatives of the 81st Texas Legislature, 1st Called Session, 2009, hereby pay tribute to the memory of Leopoldo "Leo" Alvarado, Jr., and extend sincere sympathy to the members of his family: to his brother, Carlos Alvarado; to his first wife, Gloria Acosta Farias, and their son, Leopoldo Alvarado Acosta III; to his second wife, Charlene Alvarado, and their children, Rosemarie Alvarado-Hawkins, Christina Lisa Morales, Miguel Antonio Alvarado, and Carlos Andres Alvarado; to his grandchildren, Maria and Sharet Castillejos and Evangeline and Chloe Hawkins; and to the other family members and friends of this esteemed Texan; and, be it further

*Resolved*, That an official copy of this resolution be prepared for his family and that when the Texas House of Representatives adjourns this day, it do so in memory of Leopoldo "Leo" Alvarado, Jr.

Joe Straus, Speaker of the House.

I certify that H.R. No. 21 was unanimously adopted by a rising vote of the House on July 2, 2009.

Robert Haney, Chief Clerk of the House.

## INTRODUCTION OF THE CONGRESSIONAL RESPONSIBILITY AND ACCOUNTABILITY ACT

**HON. RON PAUL**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 29, 2009*

Mr. PAUL. Madam Speaker, I rise to introduce the Congressional Responsibility and Accountability Act. This bill requires Congress to specifically authorize via legislation any proposed federal regulation that will impose costs on any individual of at least \$5,000, impose costs on a business or other private organization of at least \$10,000, or impose aggregate costs on the American people of at least \$25,000, or cause any American to lose his or her job.

According to some legal experts, at least three-quarters of all federal laws consist of regulations promulgated by federal agencies without the consent, or even the review of, Congress. Allowing unelected, and thus unaccountable, executive agencies to make law undermines democracy and violates the intent of the drafters of the Constitution to separate legislative and executive powers. The drafters of the Constitution correctly viewed separation of powers as a cornerstone of republican government and a key to protecting individual liberty from excessive and arbitrary government power.

Congress's delegation of law-making authority to unelected bureaucrats has created a system that seems to owe more to the writings of Franz Kafka than to the writings of James Madison. The volume of regulations promulgated by federal agencies and the constant introduction of new rules makes it impossible for most Americans to know with any certainty the federal laws, regulations, and rules they are required to obey. Thus, almost all Americans live with the danger that they may be hauled before a federal agency for an infraction they have no reasonable way of knowing is against the law.

While it is easy for members of Congress to complain about out of control federal bureaucrats, it was Congress that gave these agencies the ability to create laws. Since Congress created the problem of lawmaking by regulatory agencies, it is up to Congress to fix the problem and make certain that all federal laws are passed by the people's elected representatives. Therefore, Madam Speaker, I urge my colleagues to cosponsor the Congressional Responsibility and Accountability Act.

## EARMARK DECLARATION

**HON. DAVID G. REICHERT**

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 29, 2009*

Mr. REICHERT. Madam Speaker, pursuant to the Republican Leadership standards on earmarks, I am submitting the following information for publication in the Congressional Record regarding earmarks I received as part of the Fiscal Year 2010 Department of Defense Appropriations Act, H.R. 3326.

(1) \$2,300,000 for the Washington National Guard for the Tactical Operations Center

Requesting Entity: Washington State Military Department, Building One, Camp Murray, WA 98430-5000

Agency: NGB/WAARNG, Domestic Operations

Account: National Guard Equipment, Army Guard—P-1/Line # 094

Funding Requested by: Rep. DAVE REICHERT, Rep. BRIAN BAIRD, and Rep. JIM McDERMOTT

Project Summary: This funding would help develop a rapidly deployable mobile command center, interoperable communications, and a forward domestic response command headquarters capable of providing defense support to civil authorities. This capability is needed to respond to state/interstate/national domestic emergencies, including terrorism and natural hazards like earthquakes, flooding, and fires. It would include tentage, vehicles, power, and communications to relocate support to any